



**U.S. Citizenship
and Immigration
Services**

**Non-Precedent Decision of the
Administrative Appeals Office**

MATTER OF A-T- INC

DATE: JUNE 13, 2016

APPEAL OF TEXAS SERVICE CENTER DECISION

PETITION: FORM I-140, IMMIGRANT PETITION FOR ALIEN WORKER

The Petitioner, an information consulting business, seeks to employ the Beneficiary as a software development engineer. It requests classification of the Beneficiary as a member of the professions holding an advanced degree under the second preference immigrant classification. *See* Immigration and Nationality Act (the Act), section 203(b)(2), 8 U.S.C. § 1153(b)(2). This employment-based immigrant classification allows a U.S. employer to sponsor a professional with an advanced degree for lawful permanent resident status.

The Director, Texas Service Center, denied the petition. The Director determined that the record did not establish that the offered position was a *bona fide* job offer or that the Petitioner had the ability to pay the proffered wage.

The matter is now before us on appeal. On April 22, 2016, we sent the Petitioner a notice of intent to dismiss (NOID) the appeal and requested additional evidence. The NOID allowed the Petitioner 33 days in which to respond. We informed the Petitioner that if we did not receive a response, we may dismiss the appeal. *See* 8 C.F.R. § 103.2(b)(13)(i) (authorizing summary denial of a petition as abandoned if a petitioner does not respond to a notice); *see also* 8 C.F.R. § 103.2(b)(14) (authorizing a petition's denial if a petitioner does not provide requested evidence that precludes a material line of inquiry).

As of the date of this decision, we have not received a response from the Petitioner. Pursuant to 8 C.F.R. § 103.2(b)(13)(i), we will summarily dismiss the appeal as abandoned.

ORDER: The appeal is summarily dismissed as abandoned pursuant to 8 C.F.R. § 103.2(b)(13).

Cite as *Matter of A-T- Inc*, ID# 14921 (AAO June 13, 2016)